

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DEBORAH D. PETERSON,
Personal Representative of the Estate of
James C. Knipple (Dec.) et al.,

Plaintiffs,

v.

ISLAMIC REPUBLIC OF IRAN, et al.

Defendants.

Case No. 10 CIV 4518 (BSJ)

**FILED UNDER SEAL
CONTAINS CONFIDENTIAL
MATERIAL SUBJECT TO
PROTECTIVE ORDER**

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and the exhibits thereto, the Affidavit of Gholamhossein Arabieh, the Affidavit of Ali Asghar Massoumi, the Declaration of Professor Andreas F. Lowenfeld, and all the prior papers and proceedings herein, Defendant Bank Markazi will move this Court, before the Honorable Barbara S. Jones, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order: (a) dismissing the Amended Complaint pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure for lack of subject matter jurisdiction under the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1602-1611; and (b) for any such other relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that Defendant Bank Markazi requests that oral argument be heard if this motion is opposed.

PLEASE TAKE FURTHER NOTICE that opposition papers, if any, to Defendant Bank Markazi's motion, shall be served and filed pursuant to Local Civil Rule 6.1(b) or as otherwise ordered by the Court.

Dated: New York, New York
May 11, 2011

Respectfully submitted,



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